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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/773,382 | 02/06/2004 | Saurab Nog | MS1-1868US | 6339 |

22801 7590 01/30/2007
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| EXAMINER | |
|---|---|
| FATEHI, PARHAM R | |
| ART UNIT | PAPER NUMBER |
| 2109 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | NOTIFICATION DATE | DELIVERY MODE |
|---|---|---|
| 3 MONTHS | 01/30/2007 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 01/30/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/773,382 | NOG ET AL. | |
| | Examiner | Art Unit | |
| | Parham (Paul) R. Fatehi | 2191 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *06 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/06/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. Claims 1 – 22 are pending.

### *Information Disclosure Statement*

The information disclosure statement (IDS) submitted on 02/06/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7, 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al., (hereafter "Smith") US Patent No. 7,117,504.

The applied reference has a common Assignee and Inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

As per Claim 1, Smith discloses:

- **Access a configuration file associated with an application, the configuration file have a plurality of component definitions** (col. 9, ln. 46-50, access to configuration file and settings for association with an application);
- **Create a plurality of components, each component being created based on one of the plurality of component definitions** (col. 3, ln. 63-67, services created across system & col. 4, ln. 10-14 & ln. 25-27 and can be combined with each other or defined by each other);
- **Inform one or more of the plurality of components of the other components of the plurality of components** (col. 3, ln. 35-37, "communicate among loosely coupled services" inherently conveys that one or more of the plurality of components has been informed of the other components of the plurality of components, & col. 3, ln. 46-47 "XML allows tags to be defined...virtually any data items can be identified" & col.4, ln. 34-35, "XML link between clients" inherently means that the components were informed of the other components);
- **Make the plurality of components available to the application** (col. 4, ln. 12-14, services are accessible directly by other services or a software application).

As per Claim 2, Smith discloses:

- **each of the plurality of component definitions being written in an eXtensible Markup Language (XML) format** (col. 4, ln. 37-40, "the described implementation utilizes XML").

As per Claim 3, Smith discloses:

- **wherein to inform each of the plurality of components of the other components of the plurality of components is to invoke a method exposed by one or more of the plurality of components** (col. 4, ln. 2-10, interact programmatically over the

network through standard such as XML although other means of interacting with services may be used such as invocation of an exposed method).

As per Claim 4, Smith discloses:

- **wherein to invoke the method exposed by one or more of the plurality of components is further to include, as a parameter of the method, an identification of the plurality of components** (col. 3, ln. 60-61, where invocation of a method can include identification as a parameter).

As per Claim 5, Smith discloses:

- **where the method comprises a WireUp method** (Fig. 1, communication link 106 & col. 4, ln. 12-15, services are accessible by other services by use of XML that functions as a WireUp as claimed).

As per Claim 7, Smith discloses:

- **using a configuration file to generate one or more components that are accessible to an application** (col. 7, ln. 65 – 67, configuration file read to configure component settings for application);
- **creating, in a first phase, a plurality of components defined in a configuration file** (col. 8, ln. 67, datafile works as a configuration file to enable building of components);
- **notifying, in a second phase, one or more of the plurality of components of the presence of the other components in the plurality of components** (col. 4, ln. 34-35, XML link between client services is generated).

As per Claim 9, Smith discloses:

- **invoking a method exposed by each of the one or more of the plurality of components** (col. 4, ln. 2-10, interact programmatically over the network through

standard such as XML although other means of interacting with services may be used such as the invocation of an exposed method).

As per Claim 10, Smith discloses:

- **passing, as a parameter of the method, an identification of the plurality of components** (col. 3, ln. 60-61, where invocation of a method can include identification as a parameter).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 6, 8, 11-22 are rejected under 35 U.S.C. 103(a) as being obvious over Smith in view of Sandadi et al., (hereafter "Sandadi") US 2003/0225870.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in

accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

As per Claim 6, Smith discloses:

- **configuration handlers defined in configuration file** (col. 193, ln. 45-52, configuration handler for the services of the configuration file)

Smith does not explicitly disclose:

- **nested**

On the other hand, Sadadi discloses a method of using nested handlers to dynamically create components (See Par. 3 and #512, Fig. 5 & Fig. 6). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, wherein the method of using configuration handlers defined in the configuration file Smith would incorporate the system of nesting the handlers as disclosed by Sadadi (#512, Fig 5 & 6). One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of configuration handlers defined in configuration file of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 8, Smith discloses:

- **a configuration handler to be used to create one component of the plurality of components based on one of the definitions** (col. 9, ln. 46-50, configuration namespace access configuration data to set component).

Smith does not explicitly disclose:

- **while creating the one component, identifying, from the configuration file, a child configuration handler to be used to create another component to be used by the one component**

On the other hand, Sadadi discloses:

- **while creating the one component, identifying, from the configuration file, a child configuration handler to be used to create another component to be used by the one component** (Par. 3 & #512, Fig 5 & 6, after creating a component using nested configuration handlers to create a plurality of components). Therefore it would have been obvious to one having ordinary kill in the art at the time the invention was made to combine the teachings of the cited references, wherein the method of using a configuration handler to create one component as disclosed by Smith would incorporate the use of child configuration handlers to create other components as disclosed by Sadadi. One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of using configuration handlers to create a component of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 11, Smith discloses:

- **configuration file** (col. 193, ln. 45-52, configuration file)

Smith does not explicitly disclose:

- **implement nested configuration handlers**

On the other hand, Sadadi discloses the implementation of nested configuration handlers (Par. 3 & #512, Fig 5 & 6, dynamically created objects using configuration handling for each component in a nested fashion). Therefore it would have been obvious to one having ordinary kill in the art at the time the invention was made to combine the teachings of the

cited references, wherein the method of using a configuration handler to create one component as disclosed by Smith would incorporate the use of child configuration handlers to create other components as disclosed by Sadadi. One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of using configuration handlers to create a component of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 12, Smith discloses:

- **that areto be made available to an application associated with the configuration file** (col. 9, ln. 46-50, access to configuration file and settings for association with an application).

Smith does not explicitly disclose:

- **the nested configuration handlers being used to create a plurality of components** (Par. 3 & #512, Fig 5 & 6, after creating a component using nested configuration handlers to create a plurality of components). Therefore it would have been obvious to one having ordinary kill in the art at the time the invention was made to combine the teachings of the cited references, wherein the method of using a configuration handler to create one component as disclosed by Smith would incorporate the use of child configuration handlers to create other components as disclosed by Sadadi. One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of using configuration handlers to create a component of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 13, Smith discloses:

- **notify one ore more of the plurality of components of the presence of the other components in the plurality of components** (col. 4, ln. 34-35, XML link between client services is generated).

As per Claim 14, Smith discloses:

- **receiving a request to create a plurality of components from a configuration file associate with an application** (col. 3, ln. 63-67, services created across system, col. 7, ln. 65 – 67, configuration file which is used to configure component settings for application);
- **obtaining, from a configuration file, definition for each of the plurality of components** (col. 9, ln. 46-50, access to configuration file and settings for association with an application);
- **identifying from the configuration file a configuration handler to be used to create one component of the plurality of components based on one of the definitions** (col. 9, ln. 46-50, configuration namespace access configuration data to set component);
- **making the plurality of components available to the application** (col. 4, ln. 12-14, services are accessible directly by other services or a software application).

Smith does not explicitly disclose:

- **while creating the one component, identifying, from the configuration file, a child configuration handler to be used to create another component to be used by the one component**

On the other hand, Sadadi discloses the implementation of nested configuration handlers (Par. 3 & #512, Fig 5 & 6, dynamically created objects using configuration handling for each component in a nested fashion). Therefore it would have been obvious to one having

ordinary kill in the art at the time the invention was made to combine the teachings of the cited references, wherein the method of using a configuration handler to create one component as disclosed by Smith would incorporate the use of child configuration handlers to create other components as disclosed by Sadadi. One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of using configuration handlers to create a component of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 15, Smith discloses:

- **notifying, prior to making the plurality of components available to the application, one or more of the plurality of components of the presence of the other components in the plurality of components** (col. 4, ln. 12-14, services are made accessible directly by other services before application)

As per Claim 16, Smith discloses:

- **accessing a configuration section in the identified configuration handler, the configuration section mapping component identifiers** (col. 9, ln. 46-49, accessing a configuration namespace mapping to component configuration settings);

Smith does not explicitly disclose:

- **child configuration handlers and locating from the mapping the child configuration handler based on an identifier of the other component**

On the other hand, Sadadi discloses child child configuration handlers (Par. 3& 34 / #512, Fig 5 & 6, dynamically created objects using configuration handling for each component in a nested fashion). Therefore it would have been obvious to one having ordinary kill in the art at the time the invention was made to combine the teachings of the cited references, wherein the method of using a configuration handler to create one component as disclosed

by Smith would incorporate the use of child configuration handlers to create other components as disclosed by Sadadi. One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of using configuration handlers to create a component of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 17, Smith discloses:

- **the identifier of the other component comprising an extensible Markup Language (XML) tag** (col. 4, ln. 37-40, "the described implementation utilizes XML").

As per Claim 18, Smith discloses:

- **each of the plurality of components being written in an extensible Markup Language (XML) tag** (col. 4, ln. 37-40, "the described implementation utilizes XML").

As per Claim 19, Smith discloses:

- **identifying a tag associated with a definition of the one component** (col. 3, ln. 49-53, XML tags associated with services)
- **accessing a mapping of tags to configuration handlers in the configuration file** (col. 3, ln. 49-53 & col. 7, ln. 65-67, XML tags used for mapping to configuration)
- **identifying, using the mapping and based on the identified tag, the configuration handler to be used to create the one component** (col. 3, ln. 49-53 & col. 9, ln. 46-50, configuration namespace access configuration data to create one component).

As per Claim 20, it has the same limitations as claim 16 and is therefore rejected under the same reasons.

As per Claim 21, Smith discloses:

- **an application** (col. 4, ln. 14, "application");

- **a configuration system to access a configuration file associated with the application** (col. 9, ln. 46-40, configuration namespace accesses configuration file associated with the application);
- **obtaining from the configuration file definition for each of the plurality of components** (col. 8, ln. 67, datafile works as a configuration file to enable building of components);
- **identifying from the configuration file, a configuration handler to be used to create one component of the plurality of components based on one of the definitions** (col. 9, ln. 46-50, configuration namespace access configuration data to set component);
- **the second phase including notifying one or more of the plurality of components of the presences of the other components in the plurality of components** (col. 3, ln. 35-37, "communicate among loosely coupled services" inherently conveys that one or more of the plurality of components has been informed of the other components of the plurality of components, & col. 3, ln. 46-47 "XML allows tags to be defined…virtually any data items can be identified" & col.4, ln. 34-35, "XML link between clients" inherently means that the components were informed of the other components);
- **the configuration file storing one or more extensible configuration handlers, the configuration system to create a plurality of components for the application in a two-phase process** (col. 193, ln. 45-52, configuration handler for the services of the configuration file)

Smith does not explicitly disclose:

- **while creating the one component identifying from the configuration file a child**

**configuration handler to be used to create another component to be used by the one component**

On the other hand, Sadadi discloses:

while creating the one component, identifying, from the configuration file, a child configuration handler to be used to create another component to be used by the one component (Par. 3 & #512, Fig 5 & 6, after creating a component using nested configuration handlers to create a plurality of components). Therefore it would have been obvious to one having ordinary kill in the art at the time the invention was made to combine the teachings of the cited references, wherein the method of using a configuration handler to create one component as disclosed by Smith would incorporate the use of child configuration handlers to create other components as disclosed by Sadadi. One having ordinary skill in the art would have found it motivated to use such a system of Sadadi into the method of using configuration handlers to create a component of Smith for the purpose of allowing dynamic creation of multiple components during run-time.

As per Claim 22, Smith discloses:

- **invoking a method exposed by the one or more of the plurality of components** (col. 4, ln. 2-10, interact programmatically over the network through standard such as XML although other means of interacting with services may be used such as invocation of an exposed method), **and passing, as part of the invoking, the plurality of components as a parameter of the method** (col. 3, ln. 60-61, where invocation of a method can include identification as a parameter).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parham (Paul) R. Fatehi whose telephone number is 571-272-1407. The examiner can normally be reached on M-Th 7:30AM-5PM EST, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das can be reached on (571)272-3696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paul Fatehi
Examiner
Art Unit 2191

01/19/07

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